

## INTERIOR DESIGN EXAMINING BOARD[193G]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 544C.3, the Interior Design Examining Board hereby gives Notice of Intended Action to amend Chapter 2, “Registration,” and Chapter 3, “Continuing Education,” and to rescind Chapter 8, “Renewal and Reinstatement,” Iowa Administrative Code.

The rules in Chapter 2 describe the process for registration. The proposed amendments to Chapter 2 outline the process for registration, move the fee schedule from rule 193G—2.1(544C) to rule 193G—2.4(544C), remove the transition provisions, allow for reciprocal registration, and incorporate the rules on renewal and reinstatement from Chapter 8 into the registration chapter. The rules in Chapter 3 describe licensees’ continuing education requirements as a condition of registration renewal. The proposed amendments to Chapter 3 define distance education; decrease the number of continuing education hours required and specify that all continuing education must be taken in health, safety, and welfare subjects; and allow registrants to take additional continuing education if the Board disallows any continuing education. The rules in Chapter 8 outline the process for renewal and reinstatement of certificates of registration. The rules within Chapter 8 have been moved to Chapter 2.

Consideration will be given to all written suggestions or comments received on or before November 29, 2016. Comments should be directed to Lori SchraderBachar, Iowa Interior Design Examining Board, 200 E. Grand Avenue, Suite 350, Des Moines, Iowa 50309. E-mail may be sent to [lori.schraderbachar@iowa.gov](mailto:lori.schraderbachar@iowa.gov).

A public hearing will be held on November 29, 2016, at 10 a.m. in the Board Office, 200 E. Grand Avenue, Suite 350, Des Moines, Iowa, at which time persons may present their views on the proposed amendments either orally or in writing. At the hearing, any person who wishes to speak will be asked to give the person’s name and address for the record and to confine remarks to the subject of the proposed amendments. Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Board and advise of specific needs.

These proposed amendments were approved by the Board on September 26, 2016.

These proposed amendments are subject to waiver or variance pursuant to 193—Chapter 5.

After analysis and review of this rule making, the Board determined that there will be no impact on jobs and no fiscal impact to the state.

These amendments are intended to implement Iowa Code section 544C.3.

The following amendments are proposed.

ITEM 1. Amend rule 193G—2.1(544C) as follows:

**193G—2.1(544C) Certificate of registration.** All applicants for registration must complete a board-approved application, satisfy the interior design education, practical training, ~~and examination,~~ and fee requirements established by this rule.

**2.1(1) and 2.1(2)** No change.

~~**2.1(3) Transition provisions.** For a period of two years from July 1, 2005, the board may issue a certificate as a registered interior designer to a person residing in Iowa who does not meet the examination requirements specified in Iowa Code Supplement section 544C.5, if the person satisfies all of the following:~~

~~a. Has a minimum of two years of interior design education and a combined total of six years of interior design education and acceptable experience.~~

~~b. Has successfully completed Section 1 of the NCIDQ examination relating to life safety codes and barrier-free requirements.~~

~~c. Has submitted a completed application by June 30, 2007.~~

2.1(3) Reciprocity. The board may also grant registration by reciprocity. An applicant applying to the board for registration by reciprocity shall furnish satisfactory evidence that the applicant meets both of the following requirements:

a. Holds a valid registration or license issued by another registration authority recognized by the board where the qualifications for registration or licensure were substantially equivalent to those prescribed in this state on the date of original registration or licensure with the other registration authority. The applicant must obtain a letter of good standing or complete a form stating that the applicant is in good standing from all jurisdictional licensing boards with which the applicant holds an active registration. The letter or form must bear the seal of the jurisdictional licensing board.

b. Holds a current certificate number issued by the NCIDQ.

2.1(4) Applications. Persons applying for initial or renewal registration shall submit an application on a form provided by the board and shall pay a registration fee of \$275. Certificates issued to registrants with last names beginning with A through K shall expire on June 30 of even-numbered years, and certificates issued to registrants with last names beginning with L through Z shall expire on June 30 of odd-numbered years. Registration fees and continuing education requirements shall be applied pro rata to those registrants whose certificates expire in less than two years.

Type of fee	Amount
Initial registration fee	\$275
Renewal	\$275
Late renewal fee	\$25
Reinstatement of lapsed registration	\$100

This rule is intended to implement Iowa Code Supplement chapter 544C.

ITEM 2. Adopt the following new rules 193G—2.2(17A,272C,544C) to 193G—2.4(544C):

**193G—2.2(17A,272C,544C) Renewal of certificates of registration.** Certificates of registration expire biennially on June 30. Certificates issued to registrants with last names beginning with A through K shall expire on June 30 of even-numbered years and certificates issued to registrants with last names beginning with L through Z shall expire on June 30 of odd-numbered years. In order to maintain authorization to practice in Iowa, a registrant is required to renew the certificate of registration prior to the expiration date. However, the board will accept an otherwise sufficient renewal application which is untimely if the board receives the application and late fee of \$25 within 30 days of the date of expiration. A registrant who fails to renew by the expiration date is not authorized to use the title of registered interior designer in Iowa until the certificate is reinstated as provided in rule 193G—3.2(17A,272C,544C).

**2.2(1)** It is the policy of the board to mail to each registrant at the registrant's last-known address a notice of the pending expiration date approximately one month prior to the date the certificate of registration is scheduled to expire. Failure to receive this notice does not relieve the registrant of the responsibility to timely renew the certificate and pay the renewal fee.

**2.2(2)** If grounds exist to deny a timely and sufficient application to renew, the board shall send written notification to the applicant by restricted certified mail, return receipt requested. Grounds may exist to deny an application to renew if, for instance, the registrant failed to satisfy the continuing education provisions required as a condition for registration. If the basis for denial is a pending disciplinary action or disciplinary investigation that is reasonably expected to culminate in disciplinary action, the board shall proceed as provided in 193—Chapter 7. If the basis for denial is not related to a

pending or imminent disciplinary action, the applicant may contest the board's decision as provided in 193—subrule 7.40(1).

**2.2(3)** When a registrant appears to be in violation of mandatory continuing education requirements, the board may, in lieu of proceeding to a contested case hearing on the denial of a renewal application as provided in rule 193—7.40(546,272C), offer a registrant the opportunity to sign a consent order. While the terms of the consent order will be tailored to the specific circumstances at issue, the consent order will typically impose a penalty between \$50 and \$250, depending on the severity of the violation; establish deadlines for compliance; and require that the registrant complete hours equal to double the deficiency in addition to the required hours; and may impose additional educational requirements on the registrant. Any additional hours of continuing education completed in compliance with the consent order cannot again be claimed at the next renewal. The board will address subsequent offenses on a case-by-case basis. A registrant is free to accept or reject the offer. If the offer of settlement is accepted, the registrant will be issued a renewed certificate of registration and will be subject to disciplinary action if the terms of the consent order are not fulfilled. If the offer of settlement is rejected, the matter will be set for hearing, if timely requested by the registrant pursuant to 193—subrule 7.40(1).

**2.2(4)** A registrant who continues to use the title of registered interior designer in Iowa after the registration has expired may be subject to disciplinary action. Such unauthorized activity may also be grounds to deny a registrant's application for reinstatement.

**2.2(5)** Registrants shall notify the board within 30 days of any change of address or business.

**193G—2.3(544C,17A) Reinstatement of certificates of registration.** An individual may reinstate a lapsed certificate of registration to active registration by doing the following:

1. Paying the current renewal fee;
2. Paying the reinstatement fee of \$100;
3. Providing a written statement outlining the professional activities that the applicant performed in Iowa during the period of nonregistration. The statement shall include a list of all projects with which the applicant had involvement and shall explain the service provided by the applicant; and
4. Submitting documented evidence of completion of 5 contact hours of continuing education for each year or partial year since the registrant's last renewal year in active status with a maximum of 20 contact hours. The continuing education hours used for reinstatement may not be used again at the next renewal and shall not have been earned more than four years prior to the date of the application to reinstate.

**193G—2.4(544C) Applications.** Persons applying for initial, renewal, or reciprocal registration shall submit an application on a form provided by the board and shall pay a registration fee of \$275. Certificates issued to registrants with last names beginning with A through K shall expire on June 30 of even-numbered years, and certificates issued to registrants with last names beginning with L through Z shall expire on June 30 of odd-numbered years. An applicant applying for initial, reciprocal, or reinstatement registration within 12 months from the applicant's required renewal date shall pay half of the required fee. An applicant applying for initial, reciprocal, or reinstatement registration more than 12 months from the applicant's required renewal date shall pay the full registration fee.

Type of fee	Amount
Initial registration fee	\$275
Reciprocal registration fee	\$275
Renewal	\$275
Late renewal fee	\$25
Reinstatement of lapsed registration	\$100

ITEM 3. Adopt the following **new** implementation sentence in **193G—Chapter 2:**  
These rules are intended to implement Iowa Code chapter 544C.

ITEM 4. Amend rule 193G—3.1(17A,272C,544C), definition of “Structured activity,” as follows:  
“*Structured activity*” means a method of interior design-related learning led by a qualified individual and conducted or sponsored by a professional organization, technical organization, industry source or accredited college or university ~~including monographs, courses of study taught in person or by correspondence, organized lectures, presentations or workshops, formal courses of instruction, and other means through which identifiable technical and professional subjects are presented in a planned manner through distance education.~~

ITEM 5. Adopt the following new definition of “Distance education” in rule 193G—3.1(17A,272C,544C):

“*Distance education*” means any education process based on the geographical separation of student and instructor.

ITEM 6. Amend rule 193G—3.2(17A,272C,544C) as follows:

**193G—3.2(17A,272C,544C) Continuing education requirements.**

**3.2(1)** Hours required. Each registrant shall complete ~~during each two-year registration term~~ a minimum of ~~12~~ 10 contact hours ~~of in acceptable health, safety and welfare subjects for continuing education approved by the board. Compliance with the continuing education requirement is a prerequisite for registration renewal.~~ All hours shall be in structured activity programs and must be acquired during the renewal period. Carryover hours from a previous renewal are not allowed.

**3.2(2)** Within any biennial renewal period during which 12 contact hours must be acquired, at least 8 contact hours shall be in health, safety and welfare subjects in a structured activity. A maximum of 4 contact hours may be in self-directed activities. Hours acquired in any 24-month renewal period may not be carried over to a subsequent 24-month renewal period. Continuing education hours need not be acquired in this state, but may be acquired in any location provided that the registrant can demonstrate that the program meets the definition of either structured activity or self-directed activity as defined in this chapter. Continuing education hours need not be acquired in this state, provided that the registrant can demonstrate that the program meets the definition of structured activity as defined in this chapter.

**3.2(3)** No change.

**3.2(4)** Sources of continuing education. The following suggested list may be used by all registrants to determine the types of activities that may fulfill the continuing education requirements. Credit may not be claimed for any activity required as part of a registered interior designer’s routine professional responsibilities. Credit may not be claimed for any activity required as part of a registered interior designer’s routine professional responsibilities. Structured activities include:

*a.*—Self-directed activities (actual hours spent, up to a maximum of 2 contact hours per activity and limited to 4 contact hours per reporting period):

- (1) ~~Tours of interior design-significant sites for a specified educational purpose.~~
- (2) ~~A service to the public which uses the registered interior designer’s expertise as an interior designer. Examples include serving on a planning commission, building code advisory board or building code study committee.~~
- (3) ~~Informal industry or other similar instruction related to new interior design or new interior design-related technology and offered by an individual qualified by education or experience.~~
- (4) ~~Service as an officer or active committee participant in an educational, technical or professional society. One full year of service is required for the service to be considered.~~

*b.*—Structured activities:

- (1) ~~Completion of a formal college or university course, seminar, tutorial or short course/monograph.~~
- (2) ~~Completion of a formal program, course, self-study course, monograph or equivalent educational experience sponsored by a professional or technical organization or industry source.~~
- (3) ~~Instruction of a course, seminar, lecture, presentation, workshop or similar formal educational program. Credit shall be allowed at a maximum of three preparation hours for each class hour spent for~~

~~actual presentation, valid for the initial presentation only. College and university faculty may not claim contact or preparation credit for teaching regular curriculum courses.~~

~~(4) Research that is published or is formally presented to the profession or public. Credit shall be allowed at a maximum of 4 contact hours per reporting period and shall be valid for the initial presentation only.~~

~~(5) Completion of college or university credit courses dealing with interior design-related subjects. Each semester hour shall equal 15 contact hours. A quarter hour shall equal 10 contact hours. There is no limit to hours claimed for this activity.~~

~~a. Completion of any program or course sponsored by a professional or technical organization or industry source.~~

~~b. Instruction of a course, seminar, lecture, presentation, workshop or similar formal educational program. Credit shall be allowed at a maximum of 3 preparation hours for each class hour spent for actual presentation, valid for the initial presentation only. College and university faculty may not claim contact or preparation credit for teaching regular curriculum courses.~~

~~c. Research that is formally presented to the profession or public. Credit shall be allowed at a maximum of 4 contact hours per reporting period and shall be valid for the initial presentation only.~~

~~d. Completion of college or university credit courses dealing with interior design-related subjects. Each semester hour shall equal 15 contact hours. A quarter hour shall equal 10 contact hours.~~

~~3.2(5) Approved continuing education. The board does not preapprove continuing education activities or courses; however, in general, activities and courses in acceptable HSW subjects are considered to include, but are not limited to, that enhance the health, safety, and well-being of the public include the following topics:~~

~~a. Life safety, ADA, and other building and safety codes, standards and administrative regulations governing the practice of interior design.~~

~~b. Safety and security issues (e.g., exit design, fall prevention design, crime prevention design, etc.).~~

~~c. Physical and mental health issues.~~

~~d. Topics that relate to human physiology, perception, anthropometrics, ergonomics, psychology, sociology, ecology and cultural factors.~~

~~e. Energy efficiency.~~

~~f. Environmental issues.~~

~~g. Accessibility and universal design.~~

~~h. Materials and methods.~~

~~i. Building systems.~~

~~j. Statutes and rules relating to interior design regulation.~~

~~k. Professional ethics.~~

~~l. Legal aspects of professional practice.~~

~~m. Construction documents and services.~~

~~n. Project administration.~~

ITEM 7. Amend rule 193G—3.3(17A,272C,544C) as follows:

### **193G—3.3(17A,272C,544C) Controls and reporting.**

**3.3(1)** An applicant for registration renewal may be requested to provide, in such manner and at such time as prescribed by the board, a signed statement, under penalty of perjury, on forms provided by the board, setting forth the continuing education in which the registrant has participated.

a. When an applicant is requested to provide a listing of the continuing education completed for structured activities, the information shall include:

(1) School, firm or organization conducting the course.

(2) Location of course.

(3) Title of course or description of content.

(4) Principal instructor.

(5) Dates attended.

- (6) Hours claimed.
- ~~b. Proof of participation in a nonstructured activity shall include:~~
  - ~~(1) Activity claimed.~~
  - ~~(2) Names of other individuals (if any) who participated.~~
  - ~~(3) Date attended.~~
  - ~~(4) Duration of activity.~~
  - ~~(5) Location of activity.~~
  - ~~(6) Written summary of the experience and learning outcomes.~~
  - ~~(7) Signed statement that the activity was not part of the individual's routine professional responsibilities.~~

~~3.3(2) The board may require sponsors of courses to furnish an attendance list or any other information the board deems essential for administration of these continuing education rules.~~

~~3.3(3) 3.3(2)~~ The board will verify, on a random basis, information submitted by registrants. If an application for renewal is not approved, the applicant will be so notified and may be granted a period of time by the board in which to correct the deficiencies noted.

~~3.3(4) 3.3(3)~~ Primary responsibility for documenting the requirements rests with the registrant, and evidence to support fulfillment of those requirements must be retained for a period of five years subsequent to submission of the report claiming the credit. Satisfaction of the requirements, including retention of attendance records and written outlines, may be accomplished as follows:

a. For courses taken for scholastic credit at accredited universities and colleges, evidence of satisfactory completion of the course is sufficient; for noncredit courses taken, a statement of the hours of attendance, signed by the instructor, must be obtained by the registrant.

b. For correspondence courses and formal independent study courses, written evidence or a certificate of completion from the sponsor or course provider shall be obtained by the registrant.

c. In all other instances, the registrant must maintain a record of the information listed in ~~subrule 3.3(4), paragraph "a,"~~ paragraph 3.3(1) "a" and a copy of the course outline prepared by the course sponsor.

~~3.3(4)~~ The registrant is responsible for maintaining verification of claimed credit for a minimum of five years subsequent to submission of the report to the board office. Acceptable verification may be presented with a course completion certificate or a college transcript.

ITEM 8. Amend rule 193G—3.4(17A,544C) as follows:

**193G—3.4(17A,544C) Hearings.** If the board disallows any continuing education hours, the registrant shall have 60 days from notice of such disallowance to either provide further evidence of having completed the continuing education hours disallowed or remedy the disallowance by completing the required number of continuing education hours (provided that such continuing education hours shall not again be used for the next renewal). In the event of denial, in whole or in part, of any application for approval of credit for continuing education activity, the registrant shall have the right, within 20 days after the date of notification of the denial by mail, to request a hearing by the board. The hearing shall be held within 60 days after receipt of the request for the hearing. The decision of the board shall be final. If the board finds, after proper notice and hearing, that the registrant willfully disregarded the continuing education requirements set forth in this chapter or falsified documentation of the required continuing education hours, the registrant may be subject to disciplinary action.

ITEM 9. Rescind rule 193G—3.5(17A,544C) and adopt the following **new** rule in lieu thereof:

**193G—3.5(17A,544C) Exemptions.**

**3.5(1)** As provided in Iowa Code section 272C.2(4), a registered interior designer shall be deemed to have complied with the continuing education requirements set forth in this chapter if during the continuing education compliance period the registrant:

- a. Has served honorably on active duty in the military service; or

- b.* Is a resident of another state or district having a continuing education requirement for registered interior design and has complied with all requirements of that state or district for practice therein; or
  - c.* Is a government employee working as a registered interior designer outside the United States.
- 3.5(2)** The board shall have authority to make exceptions for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. See 193—Chapter 5.

ITEM 10. Rescind rule **193G—3.6(17A,544C)**.

ITEM 11. Renumber rule **193G—3.7(17A,544C)** as **193G—3.6(17A,544C)**.

ITEM 12. Rescind and reserve **193G—Chapter 8**.